IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, ex rel, W.A. DREW EDMONDSON, in his capacity as ATTORNEY GENERAL OF THE STATE OF OKLAHOMA, et al.	)	
Plaintiffs,	)	
V.	)	No. 05-CV-329-GKF-SAJ
TYSON FOODS, INC., et al.,	)	
Defendants.	)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS

FEBRUARY 19, 2008

PRELIMINARY INJUNCTION HEARING

VOLUME I

BEFORE THE HONORABLE GREGORY K. FRIZZELL, Judge

APPEARANCES:

For the Plaintiffs: Mr. Drew Edmondson
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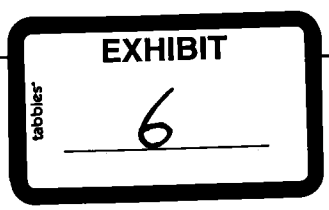

appropriate time to do our update of the daily copy? We'll take about a five to ten minute recess at this time.

(Recess.)

THE COURT: Mr. Bullock, you may call your next witness.

MR. BULLOCK: Dr. Christopher Teaf.

CHRISTOPHER M. TEAF

Called as a witness on behalf of the plaintiffs, being first duly sworn, testified as follows:

THE COURT: Doctor, if you would state your full name for the record, please.

THE WITNESS: My name is Christopher M. Teaf, T-E-A-F.

THE COURT: Thank you very much. You anticipated my next question. Mr. Bullock.

DIRECT EXAMINATION

BY MR. BULLOCK:

Q. By whom are you employed and in what capacity?

A. I'm the associate director of the Center for Biomedical and Toxicological Research at Florida State University in Tallahassee. I'm also the president and director of toxicology for hazardous substance and waste management research.

Q. Could you state please the highlights of your professional activities and responsibilities at Florida State?

A. At Florida State University I have administrative, teaching and research responsibilities. My administrative

repeatedly. And then finally on the right-hand side I've listed the sources for this information.

Q. When we talk about the post contact latency, how does that relate to our finding people that have been made sick by being at the river?

A. It makes it much more difficult. And because of the location of the Illinois River and its recognition as a regional resource, I'm sure that you have people there on a regular basis from Kansas and Missouri and Oklahoma and Arkansas who go home when they're done. And it's very difficult to capture that with the kind of passive reporting systems that we have in place for reportable diseases at present.

Q. Now, I notice that you included both Salmonella and Campylobacter. In light of the fact that the sampling didn't turn up much of that, do you regard that as a legitimate inclusion in this chart?

A. I do.

Q. Why?

A. The literature is quite clear that both Campylobacter and Salmonella are extraordinarily commonly associated with poultry. And it's important to recognize that these have very similar kinds of effects, similar range of severity, similar types of infective dose, similar types of latency periods. So all of these are, again, being measured by the indicator

for a period of time on the order of months but, again, its significance to you is negligible.

Q. Okay. Let's go to 403, please. Now, first of all, Doctor, in terms of this contamination that you testified to in the river and waters of the Illinois River Watershed, do you have an opinion as to the cause of that contamination?

A. Yes, my belief, as we'll talk about later, that there are probably different places, perhaps contributions from other sources, but the majority of the impacts are coming from poultry. And there are a variety of reasons for that including a number of those that are listed on this sheet.

Q. Let's go through those. What does the first -- the technical literature, what are you talking about there?

A. Well, let me first say that last one tried to inadvertently place too much value on any one of these particular numbers. A scientist typically looks at things from a weight of evidence standpoint or reliance of evidence standpoint. Everything has importance, some have more importance than others. But you get to the bottom line in your conclusion by integrating several different lines of evidence. The first here is that the available and historical technical literature on characteristics of poultry waste, particularly bacterial, demonstrate the presence of E. coli, Salmonella and Campylobacter and the fecal indicator organisms in poultry waste. That is -- the literature is clear on that.